

REMARKS

After entering the above amendments, claims 1-19 and 22 will be pending. Reconsideration and allowance of the current application are requested in light of the above-marked amendments and the foregoing remarks.

Summary of Rejections. The Office has rejected claim 22 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Publication No. 2003/0167315 to Chowdhry et al. ((hereinafter “Chowdhry”); claims 1, 4-11, 14-16 and 20-21 under 35 U.S.C. §103(a) as allegedly being unpatentably obvious over Chowdhry in view of U.S. Patent Publication No. 2001/0047394 to Kloba et al. (hereinafter “Kloba”); and claims 2-3, 12-13 and 17-19 under 35 U.S.C. §103(a) as allegedly being unpatentably obvious over Chowdhry and Kloba, and further in view of U.S. Patent Publication No. 2003/0066031 to Laane (hereinafter “Laane”).

Summary of Amendments. With this amendment, claims 22 has been amended. The amendment is fully supported by the original specification, at least as follows:

Para. [0008] describes that the browser increment corresponds to a difference between an original model of an application component and a modified model of the application component.

Rejections under 35 USC §102

Claim 22 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Chowdhry. This rejection is respectfully traversed. To present a valid anticipation rejection under 35 U.S.C. §102, the Office must identify a single prior art reference in which “each and every element as set forth in the claim is found, either expressly or inherently described.” MPEP §2131 quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The rejection over Chowdhry to satisfy this burden with regards to the currently pending claims.

Claim 22 has been amended to recite “a browser increment...corresponding to a difference

between the model and the modified model.” Chowdhry clearly fails to teach or reasonably suggest the claimed browser increment feature of the present invention. The Office asserts that this feature is taught by Chowdhry at para. [0222], reproduced in its entirety below for convenience.

The sequence for when the message tells the caching engine to add/update a portlet is as follows. First, the details of the portlet are read from the message. Second, these details are written to a list that keeps track of all portlets that need to be updated. Finally, the cache initiates the download of the portlet, writing over the original contents if this is an update, adding them to the cache if it's a new portlet.

However, neither this cited passage, nor the Chowdhry reference in general, teaches or suggests a browser increment that corresponds to a difference between a model and a modified model. In fact, as acknowledged by the Office, Chowdhry fails to disclose the use of models, and instead makes updates or changes directly to the portlets, which are in fact application components and distinctly not models.

Since Chowdhry fails to teach or suggest these features, it follows that Chowdhry fails to teach or suggest the limitations of “a client-assembler implemented on the one or more computer processors receiving the at least one browser-increment from the server and updating an instance of a browser component at the client with the at least one browser-increment, wherein the browser component corresponds to the application component.”

The cited passage of Chowdhry (para. [0243] that is alleged by the Office to teach these limitations is provided below:

Another unique feature of the user interface is the ability for the user interface to refresh each portlet independently of the others. Upon creation, each portlet is assigned a refresh rate by the portlet creator. In a portal, where there are a variety of common sources with different update frequencies, it is very efficient to be able to update each individually.

Thus, Chowdhry teaches that each portlet can be refreshed independently, but fails to suggest a client-assembler receiving a browser-increment from the server and updating an instance of a browser component at the client with the at least one browser-increment. Accordingly, since Chowdhry fails to teach or suggest a number of explicit limitations, Chowdhry does not anticipate claim 22.

For at least these reasons, withdrawal of the pending rejection under 35 U.S.C. §102 is respectfully requested.

Rejections under 35 USC §103

Claims 1, 4-11, 14-16 and 20-21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentably obvious over Chowdhry in view of Kloba. Claims 2-3, 12-13 and 17-19 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentably obvious over Chowdry and Kloba in view of Laane. These rejections are respectfully traversed.

For a proper rejection under 35 U.S.C. §103(a), the Office “bears the initial burden of factually supporting any *prima facie* conclusion of obviousness” and must therefore present “a clear articulation of the reason(s) why the claimed invention would have been obvious.” MPEP §2142. An obviousness rejection “cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” MPEP §2141 quoting *KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1386, 1385 (2007). This rationale must include a showing that all of the claimed elements were known in the prior art and that one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, to produce a combination yielding nothing more than predictable results to one of ordinary skill in the art. KSR, 82 USPQ2d at 1395. MPEP §2141.02 further notes that “a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v.*

Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). The rejection over fail to satisfy this burden with regards to the currently pending claims.

As clearly shown above, Chowdhry fails to teach or suggest “at least one browser-increment that corresponds to a difference between the original model and the modified model” as recited by independent claims 1, 10, 11, 15, and 16. Chowdhry also fails to teach or suggest “a server-renderer implemented on the one or more computer processors for generating at least one browser-increment” as required by the independent claims.

The application of the DOM as taught by Kloba does not cure the various deficiencies of Chowdhry, since Chowdhry specifically avoids the use of models or Document Object Model (DOM) standards in managing or refreshing portlets. Accordingly, one of ordinary skill in the art would not look to the script execution teachings of Kloba to improve the way Chowdhry manages and updates application components.

The present invention utilizes models, and modifications thereof, to generate browser-increments for browser components, which in turn correspond to application components. The use of models and incremental browser component updates reduce CPU time consumption and bandwidth requirements in client-server communications.

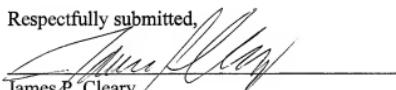
Since the combination of Chowdhry and Kloba fails to teach a number of required limitations of independent claims 1, 10, 11, 15 and 16, the Office has not met its burden in making a *prima facie* case of obviousness. Claims 4-9 and 14 are allowable at least for their dependence on an allowable base claim. Likewise, claims 2-3, 12-13 and 17-19 are allowable at least for their dependence on an allowable base claim. For at least these reasons, withdrawal of the pending rejection under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

The Commissioner is hereby authorized to charge the additional claim fee and any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-135/2002P00117WOU. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

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Respectfully submitted,


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